

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
CHARLOTTESVILLE DIVISION**

MICHAEL DONALDSON,

Plaintiff,

V.

TRAE FUELS, LLC., et al.

Defendants.

Case No.: 3:18CV00097

CONSENT MOTION TO AMEND SCHEDULING AND BRIEFING DEADLINES

COMES NOW Plaintiff Michael Donaldson, with the consent of Defendants Trae Fuels, LLC and EnviroTech Services, Inc., and moves to amend the scheduling order to extend the discovery deadline to October 30, 2019 for the limited purpose of 30(b)(6) depositions of both Defendants and to modify the briefing deadlines for summary judgment as follows:

<u>Deadline</u>	<u>Current Date</u>	<u>Requested Date</u>
Motion for Summary Judgment	October 31, 2019	No change
Opposition to Summary Judgment	November 14, 2019	12pm November 11, 2019
Reply in Support of Summary Judgment	November 21, 2019	5pm November 15, 2019

There is good cause for this motion. With respect to the depositions, Plaintiff timely noticed the depositions for October 18, 2019, but the unavailability of the best corporate designee for the depositions prevented the parties from taking the deposition between October 18 and October 25, 2019, the current close of discovery. With respect to the modifications to the briefing deadlines, the parties learned that Judge Conrad was unavailable for a hearing the week of

November 25, 2019, so the parties agreed to a condensed briefing schedule to permit an earlier hearing on the motion. Plaintiff and Defendant have contacted court personnel and expect to schedule a hearing on summary judgment on November 21 or 22, 2019 in Roanoke.

Defendants consent to this motion.

Respectfully submitted,

MICHAEL DONALDSON

ALAN LESCHT AND ASSOCIATES, PC

By: /s/Jack Jarrett
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CERTIFICATE OF SERVICE

I hereby certify that on October 25, 2019, I filed the foregoing with the Court's CM/ECF system which will automatically serve a copy on counsel of record for Defendants.

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Respectfully Submitted,

/s/Jack Jarrett

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